

## Los Angeles Regional Water Quality Control Board

October 31, 2013

**NOTICE OF OPPORTUNITY TO SUBMIT COMMENTS  
ON PROPOSED DRAFT ORDER  
IN THE MATTER OF  
CLEANUP AND ABATEMENT ORDER NO. R4-2011-0046  
FORMER KAST PROPERTY TANK FARM  
(SCP NO. 1230, SITE ID NO. 2040330, FILE NO. 11-043);**

Douglas J. Weimer  
Shell Oil Products US  
20945 S. Wilmington Ave.  
Carson, CA 90810

Certified Mail  
Return Receipt Requested  
Claim No. 7012 3460 0001 6365 9018

David A. DeLorenzo  
President and Chief Executive Officer  
Dole Food Company, Inc.  
P.O. Box 5132  
Westlake Village, CA 91359-5132

Certified Mail  
Return Receipt Requested  
Claim No. 7012 3460 0001 6365 9025

Dear Mr. Weimer and Mr. DeLorenzo:

On March 11, 2011, the Regional Water Quality Control Board, Los Angeles Region (Regional Board) issued Cleanup and Abatement Order No. R4-2011-0046 (Order) requiring Shell Oil Company (Shell) to investigate and cleanup the Former Kast Tank Farm Property (Site) located southeast of the intersection of Marbella Avenue and East 244th Street, Carson, California. On July 28, 2010 in comments on the draft Order, the law firm of Morgan Lewis on behalf of Shell, requested that the Regional Board name Dole Food Company, Inc. (Dole) and Barclay Hollander Corporation (BHC) as responsible parties in the Order. At the time of issuance of the Order, the Regional Board declined to add Dole and BHC to the draft Order and issued the Order to Shell only. Subsequently, on April 22, 2011 the Regional Board issued an order pursuant to California Water Code section 13267 (13267 Order) requiring Dole to provide technical information about the Site. On September 15, 2011, the law firm of Gibson Dunn on behalf of Dole and BHC provided a detailed letter and attachments in response to the 13267 Order concluding that neither Dole nor BHC should be named as a responsible party in the Order.

The attached Proposed Draft Revised Cleanup and Abatement Order No. R4-2011-0046 (Proposed Draft Revised Order) contains revisions to the Order proposing to add Barclay Hollander Corporation, a wholly-owned subsidiary of Dole, as a responsible party to the Order based on information provided by Shell and Dole.

As of the date of this Proposed Draft Revised Order, Shell has completed many of the tasks required by the Order since its issuance on March 10, 2011. This Proposed Draft Revised Order does not include revisions deleting tasks already completed by Shell. The Regional Board's files include records documenting the activities associated with the Order.

Douglas J. Weimer  
Shell Oil Products US  
David A. DeLorenzo  
Dole Food Company, Inc.

- 2 -

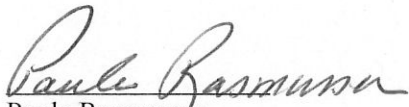
October 31, 2013

You are hereby provided the opportunity to submit comments and evidence on the Proposed Draft Revised Order to the Regional Board. Proposed revisions, other than minor editorial changes, are marked in underline/strikeout. The Regional Board is accepting comments and evidence related only to the proposed revisions to the Order, and, in particular, comments regarding the naming of additional responsible parties. Comments and evidence must be submitted by **12:00 pm (noon) on December 6, 2013**. Comments and evidence that are outside the scope of this notice or submitted after the deadline will not be considered or included in the record for this matter.

Please send comments and evidence related to the proposed revisions to the Order to: Teklewold Ayalew, Project Manager, by e-mail at [tayalew@waterboards.ca.gov](mailto:tayalew@waterboards.ca.gov) (If less than 15 megabytes in size or less), (213)576-6717 (fax), or by mail to Los Angeles Regional Water Quality Control Board, 320 W 4th Street, Suite 200, Los Angeles, California 90013. Please also indicate in the subject line "Comment Letter – Former Kast Property Tank Farm – Revised CAO."

The Executive Officer will consider the comments and evidence and determine whether to issue a Revised Order. You will be provided notice of the Executive Officer's decision.

Sincerely,



Paula Rasmussen  
Assistant Executive Officer

Enclosure: Draft Revised Cleanup and Abatement Order No. R4-2011-0046

cc: Mailing List

Mailing List

Deanne Miller  
Morgan, Lewis & Bockius LLP  
300 South Grand Avenue  
Twenty-Second Floor  
Los Angeles, CA 90071-3132  
dlmiller@morganlewis.com

Michael Leslie  
Coldwell Leslie & Proctor, PC  
1000 Wilshire Blvd, Suite 600  
Los Angeles, CA 90017-2463  
leslie@caldwell-leslie.com

Patrick W. Dennis  
Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue  
Los Angeles, CA 90074-3197  
pdennis@gibsondunn.com

Krista Hernandez  
Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue  
Los Angeles, CA 90074-3197  
khernandez@gibsondunn.com

Barclay Hollander Corporation  
5840 Uplander Way, Suite 202  
Culver City, CA 90230

Frances L. McChesney  
Attorney IV  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor  
Sacramento, CA 95814  
frances.mcchesney@waterboards.ca.gov

Jennifer Fordyce  
Attorney III  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor  
Sacramento, CA 95814  
jennifer.fordyce@waterboards.ca.gov